

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

**IN RE: Jeffrey J. Libecco and  
Sherrie J. Libecco**

**Debtor(s).**

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)  
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)  
)  
)  
X

**Case No. 16-22460-JAD**

**Chapter 13**

Related to Docs. #90 and 95

**ORDER OF COURT  
(Check Boxes That Apply)**

☒ **Confirming Plan on Final Basis**

☐ **Chapter 13 Plan dated:**

☐ **Authorizing Distributions Under Plan  
On Interim Basis Solely as Adequate  
Protection**

☒ **Amended Chapter 13 dated:  
2-5-2021**

IT IS HEREBY ORDERED that pursuant to the plan identified above (the “Plan”), as the same may be modified by this Order, the Chapter 13 Trustee is authorized to make distributions to creditors holding allowed claims from available funds on hand. Such distributions shall commence no earlier than the Chapter 13 Trustee’s next available distribution date after the first day of the month following the date on which this Order is entered on the Court’s docket.

IT IS FURTHER ORDERED that those terms of the Plan which are not expressly modified by this Order shall remain in full force and effect. To the extent any terms and conditions of the Plan are in conflict with this Order, the terms of this Order shall supersede and replace any conflicting terms and conditions of the Plan.

**1. Unique Provisions Applicable Only to This Case: *Only those provisions which are checked below apply to this case:***

- ☐ A. For the remainder of the Plan term, the periodic monthly Plan payment is amended to be \$\_\_\_\_\_, beginning \_\_\_\_\_. To the extent there is no wage attachment in place or if an existing wage attachment is insufficient to fund the Plan payments, counsel to the Debtor(s) shall within seven (7) days hereof file a wage attachment motion (or motions) to fully fund the Plan payments, or shall sign up for and commence payments under the Trustee’s TFS online payment program.
- ☒ B. The length of the Plan is changed to a total of at least 80 months. This statement

of duration of the Plan is an approximation. The Plan shall not be completed until the goals of the Plan have been achieved.

- ☐ C. To the extent this Order is entered as a form of adequate protection, the Trustee is authorized to distribute to secured and priority creditors with percentage fees payable to the Chapter 13 Trustee on receipt as provided for in 28 U.S.C. §586. ***Continued conciliation conferences before the Trustee or contested hearings before the Court shall proceed on such dates and times as appear on the case docket.*** The Trustee is deemed to have a continuous objection to the Plan until such time the Plan is confirmed on a final basis.

**PARTIES ARE REMINDED OF THEIR DUTY TO MONITOR THE COURT'S DOCKET AND ATTEND DULY SCHEDULED HEARINGS. THE PARTIES ARE FURTHER REMINDED OF THEIR DUTY TO MEET AND CONFER AND OTHERWISE ENGAGE IN GOOD FAITH SETTLEMENT NEGOTIATIONS WITH RESPECT TO ANY OBJECTION TO PLAN CONFIRMATION. FAILURE TO COMPLY WITH THESE DUTIES MAY RESULT IN THE IMPOSITION OF SANCTIONS AGAINST THE OFFENDING PARTY.**

- ☐ D. Plan confirmation is subject to the resolution of all actions to determine the avoidability, priority, or extent of liens; including determination of the allowed amount of secured claims under *11 U.S.C. §506*, disputes over the amount and allowance of claims entitled to priority under *11 U.S.C. §507*, and all objections to claims.
- ☐ E. The allowed claims of general unsecured creditors shall be paid from available funds on a pro rata basis, which may represent an increase or decrease in the amount projected in the Plan.
- ☐ F. The following utility creditor \_\_\_\_\_ shall be paid monthly payments of \$\_\_\_\_\_ beginning with the Trustee's next distribution and continuing for the duration of the Plan's term, to be applied by that creditor to its administrative claim, ongoing budget payments and/or security deposit. These payments shall be at the third distribution level.
- ☒ G. The claims of the following creditors shall govern as to amount, classification and rate of interest (or as otherwise noted), unless the Debtor(s) successfully objects to the claim:  
➤ Connoquenessing Borough(water/sewage) cl#21
- ☐ H. The secured claims of the following creditors shall govern as to claim amount, to be paid at the modified plan interest rate in a monthly amount to be determined by Trustee to pay the claim in full during the Plan term:

- ☐ I. The secured claim(s) of the following creditors shall govern as to claim amount, to be paid at the indicated interest rate in a monthly amount to be determined by Trustee to pay in full during the Plan term:
- 
- ☐ J. The secured claim(s) of the following creditor(s) shall govern, following all allowed post-petition payment change notices filed of record:
- 
- ☒ K. Additional Terms and Conditions:
- No payments to Butler County Tax Claim Bureau as Trustee has received pay in full letter from creditor

**2. Deadlines. The following deadlines are hereby established and apply to this case:**

**A. Applications to retain brokers, sales agents, or other professionals.** If the Plan contemplates a sale or sales of assets or the recovery of litigation proceeds as a source of funding, Debtor(s) shall file motion(s) to employ the necessary professionals within thirty (30) days hereof.

**B. Review of Claims Docket and Objections to Claims.** Pursuant to *W.P.A.LBR 3021-1(c)(2)*, the Debtor(s) (or Debtor(s)' attorney, if represented), shall review the proofs of claim filed in this case and shall file objections (1) to any disputed timely filed claims within ninety (90) days after the claims bar date, or (2) to any disputed late filed or amended claims within ninety (90) days after the amended and/or late claims are filed and served. Absent a timely objection or further order of the Court, the timely filed proof of claim will govern as to the classification and amount of the claim; provided however, no creditor shall receive a distribution in this case until such time as the relevant allowed claim is provided for in the Plan or any subsequent amended plan.

**C. Motions or Complaints Pursuant to §§506, 507 or 522.** All actions to determine the priority, avoidability, or extent of liens, and all actions pursuant to *11 U.S.C. §§506, 507 and 522* shall be filed within ninety (90) days after the claims bar date.

**D. Filing Amended Plans or Other Stipulation.** Within fourteen (14) days after the Bankruptcy Court resolves the priority of a claim, avoidability of a lien or interest, or extent of a lien, or any objection to claim, the Debtor(s) shall file an Amended Plan or Stipulated Order Modifying Plan to provide for the allowed amount of the lien or claim if the allowed amount and/or treatment differs from the amount and/or treatment stated in the Plan. The Debtor(s) or Counsel for Debtor(s) should inquire with the Chapter 13 Trustee regarding whether an Amended Plan or proposed Stipulated Order Modifying Plan is the preferred course of action. In addition, if after the conclusion of the claims bar date and any associated litigation, the Plan is underfunded, Debtor(s) shall also file (1) an amended Plan increasing the monthly Plan payment, and (2) a revised wage attachment to provide for the increased funding.

**3. Additional Provisions. The following additional provisions apply in this case:**

**A.** Any creditor who files or amends a proof of claim shall serve a copy on the Debtor(s) or counsel for the Debtor(s).

**B.** The Trustee shall hold in reserve any distributions under the Plan to any creditor who holds a claim that is provided for in the Plan but which is subject to a duly filed claims objection. Upon entry of further order of the Court, or ultimate allowance of the disputed claim provided for in the Plan, the Trustee may release the reserve and make distribution to the affected creditor. Unless otherwise permitted by separate Order of Court, Trustee shall not commence distributions to unsecured creditors until after the later of the government bar date and a filed notice of an intention to pay claims (the later date being the "Earliest Unsecured Distribution Date"). Trustee may, but has no obligation to, further defer distributions to unsecured creditors until a later date after the Earliest Unsecured Distribution Date.

**C.** Any creditor whose payment changes due to variable interest rates, change in escrow, or change in monthly payments, shall notify the Trustee, Debtor(s)' counsel and Debtor(s) at least twenty-one (21) days prior to the change taking effect.

**D.** Debtor(s)' counsel must file a fee application in accordance with *W.P.A.LBR 2016-1* before attorney fees in excess of the "no look" provision (including retainer) will be allowed or paid.


**E.** The Trustee shall file a *Certificate of Default and Request for Dismissal* of the case in the event of a material Plan default.

**F.** In the event that any order is entered in this case granting relief from the automatic stay to a secured creditor, then the Trustee shall make no further disbursements to any creditor on account of any allowed ***secured claim*** (that is secured by the property subject to the relief from stay order), unless otherwise directed by further Order of Court.

**G.** The Debtor(s) shall maintain all policies of insurance on all property of the Debtor(s) and this estate as required by law and/or contract.

**H.** The Debtor(s) shall pay timely all post-confirmation tax liabilities directly to the appropriate taxing authorities as they become due.

Dated: 3/15/2021

  
United States Bankruptcy Judge  
Jeffery A. Deller

cc: All Parties in Interest to be served by Clerk

In re:  
Jeffrey J. Libecco  
Sherrie J. Libecco  
Debtors

Case No. 16-22460-JAD  
Chapter 13

## CERTIFICATE OF NOTICE

District/off: 0315-2  
Date Rcvd: Mar 15, 2021

User: lfin  
Form ID: pdf900

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Total Noticed: 51

The following symbols are used throughout this certificate:

Symbol	Definition
+	Addresses marked '+' were corrected by inserting the ZIP, adding the last four digits to complete the zip +4, or replacing an incorrect ZIP. USPS regulations require that automation-compatible mail display the correct ZIP.
++	Addresses marked '++' were redirected to the recipient's preferred mailing address pursuant to 11 U.S.C. 342(f)/Fed.R.Bank.P.2002(g)(4).
##	Addresses marked '##' were identified by the USPS National Change of Address system as undeliverable. Notices will no longer be delivered by the USPS to these addresses; therefore, they have been bypassed. The debtor's attorney or pro se debtor was advised that the specified notice was undeliverable.

### Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Mar 17, 2021:

Recip ID	Recipient Name and Address
db/jdb	+ Jeffrey J. Libecco, Sherrie J. Libecco, 111 Cameron Square Drive, Evans City, PA 16033-4725
cr	+ Peoples Natural Gas Company LLC, 225 North Shore Drive, Attention: Barbara Rodgers, Pittsburgh, PA 15212-5860
14276890	+ ACE CASH EXPRESS, WILLIAMSON AND BROWN,LLC, 4691 CLIFTON PKWY, HAMBURG, NY 14075-3201
14254377	+ Armstrong, 437 North Main Street, Butler, PA 16001-4358
14257621	Berkheimer Assoc-Agt Seneca ValleySD-CranberryTwp, c/o David R. Gordon, Esq., 1883 Jory Road, Pen Argyl, PA 18072
14254378	+ Berkheimer Tax Administrator, PO Box 25153, Lehigh Valley, PA 18002-5153
14260282	+ Butler County Tax Claim Bureau, County Government Center, 124 West Diamon Street, 1st Floor, Butler PA 16001-5780
14254384	++ CREDIT PROTECTION ASSOCIATION LP, PARKWAY CENTER V, 2500 DALLAS PARKWAY SUTIE 500, PLANO TX 75093-4805 address filed with court., Credit Protection Association, 13355 Noel Rd., Ste. 2100, Dallas, TX 75240
14304396	Capital One NA, c/o Becket and Lee LLP, PO Box 3001, Malvern PA 19355-0701
14254383	+ Connoquenessing Borough, PO Box 471, Connoquenessing, PA 16027-0471
14254385	+ First Premier, 3820 N. Louise Ave., Sioux Falls, SD 57107-0145
14254386	+ First Premier Bank, PO Box 5529, Sioux Falls, SD 57117-5529
14325275	+ Franklin American Mortgage Company, Cenlar FSB, 425 Phillips BLVD, Ewing, NJ 08618-1430
14695772	PENNYMAC LOAN SERVICES, LLC, ATTN: CORRESPONDENCE UNIT, P.O. BOX 514387, LOS ANGELES, CA 90051-4387
14254392	+ Pennsylvania American Water, PO Box 371412, Pittsburgh, PA 15250-7412
15148947	+ PennyMac Loan Services, LLC, c/o Jill Manuel-Coughlin, Esquire, 8 Neshaminy Interplex Drive, Suite 215, Trevose, PA 19053-6980
14254393	+ Peoples Gas, PO Box 747105, Pittsburgh, PA 15274-7105
14322861	+ Peoples Natural Gas Company LLC, c/o S. James Wallace, P.C., 845 N. Lincoln Avenue, Pittsburgh, PA 15233-1828
14324935	+ Porania, LLC, P.O. Box 12213, Scottsdale, AZ 85267-2213
14254394	SYNCB/Wal-Mart, PO Box 9530927, Atlanta, GA 30353
14254396	+ Target Card Services, PO Box 660170, Dallas, TX 75266-0170
14254397	+ Toyota Financial Services, PO Box 4102, Carol Stream, IL 60197-4102
14284075	+ Toyota Motor Credit Corporation, PO Box 9013, Addison, Texas 75001-9013

TOTAL: 23

### Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.

Electronic transmission includes sending notices via email (Email/text and Email/PDF), and electronic data interchange (EDI). Electronic transmission is in Eastern Standard Time.

Recip ID	Notice Type: Email Address	Date/Time	Recipient Name and Address
cr	+ Email/PDF: PRA_BK2_CASE_UPDATE@portfoliorecovery.com	Mar 16 2021 05:11:01	PRA Receivables Management LLC, POB 41067, Norfolk, VA 23541-1067
cr	Email/PDF: rmscedi@recoverycorp.com	Mar 16 2021 05:25:20	Recovery Management Systems Corporation, 25 S.E. Second Avenue, Suite 1120, Miami, FL 33131-1605
14263235	Email/Text: ally@ebn.phinsolutions.com	Mar 16 2021 05:46:00	Ally Financial, PO Box 130424, Roseville MN 55113-0004
14254376	+ Email/Text: ally@ebn.phinsolutions.com	Mar 16 2021 05:46:00	Ally Financial, PO Box 380902, Minneapolis, MN 55438-0902
14268698	+ Email/Text: csc.bankruptcy@amwater.com	Mar 16 2021 05:49:00	American Water, PO Box 578, Alton, IL

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User: lfin

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			62002-0578
14254379	Email/PDF: AIS.cocard.ebn@americaninfosource.com	Mar 16 2021 05:25:00	Capital One, PO Box 71083, Charlotte, NC 28272-1083
14259781	Email/PDF: AIS.cocard.ebn@americaninfosource.com	Mar 16 2021 04:59:21	Capital One Bank (USA), N.A., PO Box 71083, Charlotte, NC 28272-1083
14254380	+ Email/Text: BNC-ALLIANCE@QUANTUM3GROUP.COM	Mar 16 2021 05:47:00	Comenity Bank/FLLBTY, PO Box 659728, San Antonio, TX 78265-9728
14254381	+ Email/Text: BNC-ALLIANCE@QUANTUM3GROUP.COM	Mar 16 2021 05:47:00	Comenity Bank/Zales, PO Box 659819, San Antonio, TX 78265-9119
14254382	+ Email/Text: BNC-ALLIANCE@QUANTUM3GROUP.COM	Mar 16 2021 05:47:00	Comenity Capital Bank, PO Box 183003, Columbus, OH 43218-3003
14254387	Email/Text: mortgagebksupport@citizensbank.com	Mar 16 2021 05:49:00	Franklin American Mortgage Company, 501 Corporate Center Drive, Suite 400, Franklin, TN 37067
14254388	+ Email/Text: bnc-bluestem@quantum3group.com	Mar 16 2021 05:49:00	Gettington, 6250 Ridgewood Road, Saint Cloud, MN 56303-0820
14280429	+ Email/Text: bankruptcy@sccompanies.com	Mar 16 2021 05:50:00	Ginny's, c/o Creditors Bankruptcy Service, P.O. Box 800849, Dallas, TX 75380-0849
14254389	+ Email/Text: bankruptcy@sccompanies.com	Mar 16 2021 05:50:00	Ginny's, 1112 7th Avenue, Monroe, WI 53566-1364
14254390	+ Email/Text: PBNCNotifications@peritussservices.com	Mar 16 2021 05:46:00	Kohls/Capital One, PO Box 3115, Milwaukee, WI 53201-3115
14307722	Email/PDF: resurgentbknofications@resurgent.com	Mar 16 2021 05:25:39	LVNV Funding, LLC its successors and assigns as, assignee of Santander Consumer USA, Resurgent Capital Services, PO Box 10587, Greenville, SC 29603-0587
14305196	+ Email/Text: bankruptcydpt@mcmcg.com	Mar 16 2021 05:48:00	MIDLAND FUNDING LLC, PO Box 2011, Warren, MI 48090-2011
14706716	Email/PDF: PRA_BK2_CASE_UPDATE@portfoliorecovery.com	Mar 16 2021 05:11:01	Portfolio Recovery Associates, LLC, PO Box 41067, Norfolk, VA 23541
14254391	+ Email/Text: bankruptcy@firstenergycorp.com	Mar 16 2021 05:48:00	Penn Power, 5001 NASA Blvd, Fairmont, PA 26554-8248
14301292	+ Email/Text: JCAP_BNC_Notices@jcap.com	Mar 16 2021 05:48:00	Premier Bankcard, Llc, c o Jefferson Capital Systems LLC, Po Box 7999, Saint Cloud Mn 56302-7999
14269080	Email/Text: bnc-quantum@quantum3group.com	Mar 16 2021 05:47:00	Quantum3 Group LLC as agent for, Sadino Funding LLC, PO Box 788, Kirkland, WA 98083-0788
14273319	Email/Text: bnc-quantum@quantum3group.com	Mar 16 2021 05:47:00	Quantum3 Group LLC as agent for, Comenity Bank, PO Box 788, Kirkland, WA 98083-0788
14265082	Email/Text: bnc-quantum@quantum3group.com	Mar 16 2021 05:47:00	Quantum3 Group LLC as agent for, Comenity Capital Bank, PO Box 788, Kirkland, WA 98083-0788
14257493	Email/PDF: rmscedi@recoverycorp.com	Mar 16 2021 05:11:13	Recovery Management Systems Corporation, 25 S.E. 2nd Avenue, Suite 1120, Miami, FL 33131-1605
14282058	+ Email/Text: bankruptcy@sccompanies.com	Mar 16 2021 05:50:00	Seventh Avenue, c/o Creditors Bankruptcy Service, P.O. Box 800849, Dallas, TX 75380-0849
14254395	+ Email/PDF: gecscedi@recoverycorp.com	Mar 16 2021 04:59:12	Synco/WalMart, PO Box 530927, Atlanta, GA 30353-0927
14296440	+ Email/Text: bncmail@w-legal.com	Mar 16 2021 05:48:00	TD BANK USA, N.A., C O WEINSTEIN & RILEY, PS, 2001 WESTERN AVENUE, STE 400, SEATTLE, WA 98121-3132
14254398	+ Email/Text: bnc-bluestem@quantum3group.com		

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Mar 16 2021 05:49:00

Webbank/Fingerhut, 6250 Ridgewood Road, Saint Cloud, MN 56303-0820

TOTAL: 28

## BYPASSED RECIPIENTS

The following addresses were not sent this bankruptcy notice due to an undeliverable address, \*duplicate of an address listed above, \*P duplicate of a preferred address, or ## out of date forwarding orders with USPS.

Recip ID	Bypass Reason	Name and Address
cr		Ally Financial
cr		Franklin American Mortgage Company
cr		PENNYMAC LOAN SERVICES, LLC
cr		Pennymac Loan Services, LLC
14306055	*+	MIDLAND FUNDING LLC, PO Box 2011, Warren, MI 48090-2011
14260281	##+	Northwest Consumer Discount Company, PO Box 789, Butler PA 16003-0789

TOTAL: 4 Undeliverable, 1 Duplicate, 1 Out of date forwarding address

## NOTICE CERTIFICATION

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed .R. Bank. P.2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Mar 17, 2021

Signature: /s/Joseph Speetjens

## CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on March 15, 2021 at the address(es) listed below:

Name	Email Address
Brett A. Solomon	on behalf of Defendant Ally Financial brett.solomon@solomon-legal.com
Brett A. Solomon	on behalf of Creditor Ally Financial brett.solomon@solomon-legal.com
Brian Nicholas	on behalf of Creditor Franklin American Mortgage Company bnicholas@kmlawgroup.com
Brian C. Thompson	on behalf of Debtor Jeffrey J. Libecco bthompson@ThompsonAttorney.com blemon@thompsonattorney.com;bthompson@ecf.courtdrive.com;jcastello@thompsonattorney.com;kfinke@thompsonattorney.com
Brian C. Thompson	on behalf of Plaintiff Jeffrey J. Libecco bthompson@ThompsonAttorney.com blemon@thompsonattorney.com;bthompson@ecf.courtdrive.com;jcastello@thompsonattorney.com;kfinke@thompsonattorney.com
Brian C. Thompson	on behalf of Plaintiff Sherrie J. Libecco bthompson@ThompsonAttorney.com blemon@thompsonattorney.com;bthompson@ecf.courtdrive.com;jcastello@thompsonattorney.com;kfinke@thompsonattorney.com
Brian C. Thompson	on behalf of Joint Debtor Sherrie J. Libecco bthompson@ThompsonAttorney.com blemon@thompsonattorney.com;bthompson@ecf.courtdrive.com;jcastello@thompsonattorney.com;kfinke@thompsonattorney.com

Harry B. Reese

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on behalf of Creditor PENNYMAC LOAN SERVICES LLC bankruptcy@powerskirn.com

James A. Prostko

on behalf of Creditor Pennymac Loan Services LLC pawb@fedphe.com

Jerome B. Blank

on behalf of Creditor Pennymac Loan Services LLC pawb@fedphe.com

Jill Manuel-Coughlin

on behalf of Creditor PENNYMAC LOAN SERVICES LLC bankruptcy@powerskirn.com

Joseph A. Dessoye

on behalf of Creditor Pennymac Loan Services LLC pawb@fedphe.com

Joshua I. Goldman

on behalf of Creditor Franklin American Mortgage Company jgoldman@kmlawgroup.com  
kevin.shatley@padgettlawgroup.com;angelica.reyes@padgettlawgroup.com

Matthew John McClelland

on behalf of Creditor Franklin American Mortgage Company bkgroup@kmlawgroup.com

Office of the United States Trustee

ustpreion03.pi.ecf@usdoj.gov

Ronda J. Winnecour

cmecf@chapter13trusteedpa.com

S. James Wallace

on behalf of Creditor Peoples Natural Gas Company LLC ecfpeoples@grblaw.com PNGbankruptcy@peoples-gas.com

Sarah Kathleen McCaffery

on behalf of Creditor PENNYMAC LOAN SERVICES LLC bankruptcy@powerskirn.com

Thomas Song

on behalf of Creditor Pennymac Loan Services LLC pawb@fedphe.com

TOTAL: 19